

## **2014-109 AUDIT SCOPE AND OBJECTIVES**

### **Untested Rape Kit Backlogs**

#### **AUDIT SCOPE AND OBJECTIVES**

The audit by the California State Auditor will provide independently developed and verified information related to the backlog of untested rape kits for the period from 2011 through 2013 and will include, but not be limited to, the following:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Within a selection of three to five counties, including at least one county that has initiated policies and practices to eliminate its rape kit backlog:
  - a. Determine how the processing and analyzing of rape kits is funded, whether by federal, state, or local money. Further, determine how much of the federal and state funds counties received for DNA evidence analysis was used to analyze rape kits.
  - b. Determine whether local law enforcement or the crime laboratory used by law enforcement had a backlog of unanalyzed rape kits and, to the extent possible, the reason for the backlog.
  - c. Identify local law enforcement and crime laboratory policies and practices for prioritizing the analysis of rape kits. Determine the asserted reasons for those priorities and whether local law enforcement and crime laboratories follow their prioritization policies.
  - d. Review local law enforcement and crime laboratory policies and procedures to determine whether they establish time frames for processing rape kits and whether law enforcement and the laboratories met those time frames.
  - e. Determine whether the timelines established by local law enforcement and crime laboratories ensure that analysis of the biological evidence in rape kits for DNA type occurs within two years from the date of the offense as set forth in California Penal Code, Section 803, or within 10 years from the date of the offense as set forth in California Penal Code, Section 801.1.
3. To the extent possible, recommend statutory or regulatory changes to help promptly clear any backlogs found and prevent further backlogs from forming.
4. Review and assess any other issues that are significant to the audit.